## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

In re:

ENRON CREDITORS RECOVERY CORP., et al.,

Reorganized Debtors.

ENRON CREDITORS RECOVERY CORP.,

Appellant,

v.

INTERNATIONAL FINANCE CORP., et al.

Appellees.

Chapter 11 Case No. 01-16034 (AJG)

Jointly Administered

07 Civ. 06597 (AKH)

## STIPULATION AND ORDER REGARDING SCHEDULING

## Recitals

- A. The above-captioned appeal (the "Appeal") arises from an adversary proceeding in the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court") styled Enron Creditors Recovery Corp. v. International Finance Corp., et al. (In re Enron Creditors Recovery Corp. et al.), Case No. 01-16034 (AJG), Adv. Pro. No. 03-93370 (AJG) (the "Adversary Proceeding").
- B. Defendants Caisse de Dépôt et placement du Québec and National Australia Bank (together, "<u>Defendants</u>") have indicated their intention to file a motion to dismiss the Appeal (the "<u>Motion to Dismiss</u>").
- C. Enron Creditors Recovery Corp. ("Plaintiff") and the Defendants have conferred and agreed upon the schedule and other matters set forth herein.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff and the Defendants, through their respective attorneys, as follows:

- I. The Defendants shall serve and file with this Court the Motion to Dismiss and any documents relating thereto on or before August 1, 2007.
- 2. The Plaintiff shall serve and file with this Court its reply memorandum of law in opposition to the Motion to Dismiss and any documents relating thereto on or before August 27, 2007.
- 3. Briefing on the merits of the Appeal shall abide resolution of the Motion to Dismiss.

Dated: July 23, 2007

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SO ORDERED: 7 - 3 - 5 - 5 - 7

HONORABLE ALVIN K. HELLERSTEIN UNITED STATES DISTRICT JUDGE